

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

KENNETH RAYMOND KOENIG, §  
RICHARD POWELL, CHRISTOPHER §  
ERNEST REED, ANDREW D. NOVAK, §  
MELINDA KAY FARNS, §  
VICTORIA CANALES DIZON, §  
NORTH CYPRESS MEDICAL CENTER §  
OPERATING COMPANY, LTD. and §  
NORTH CYPRESS MEDICAL CENTER §  
OPERATING COMPANY GP, LLC §  
§  
VS. §  
§  
AETNA LIFE INSURANCE COMPANY §

**CIVIL ACTION NO. 4:13-cv-00359**

**AETNA'S MOTION IN LIMINE**

Pursuant to Federal Rule of Evidence 103(d), Counter-Plaintiff and Defendant Aetna Life Insurance Company (“Aetna”) files the following motion and order in *limine*, and respectfully request that counsel for North Cypress Medical Center Operating Company, Ltd. and North Cypress Medical Center Operating Company GP, LLC (“North Cypress”), and witnesses called by North Cypress, be prohibited from making any mention or interrogation, directly or indirectly, concerning any of the matters set forth in the attached Order in *Limine*, without first approaching the bench and obtaining a ruling from the Court outside the presence and outside the hearing of all prospective jurors, and jurors ultimately selected in this cause, in regard to the alleged theory of admissibility of such matters.

Respectfully submitted,

By: /s/ John B. Shely

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PLAINTIFF AND DEFENDANT AETNA  
LIFE INSURANCE COMPANY

**CERTIFICATE OF SERVICE**

I hereby certify that on September 25, 2015, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Southern District of Texas, using the electronic case filing system of the Court. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Jeffrey D. Migit  
Jeffrey D. Migit